

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

COLTER KEFFER,

Defendant.

8:17CR336

ORDER

This matter is before the Court on its order to show cause dated July 30, 2021 (Filing No. 205). On April 5, 2021 defendant Colter Keffer (“Keffer”) filed a Motion for Compassionate Release pursuant to 18 U.S.C. § 3582(c)(1)(A)(i) (Filing No. 197). The Court appointed the Federal Public Defender (“FPD”) to represent Keffer for purposes of the compassionate release request (Filing No. 198).

The FPD declined the appointment and on May 25, 2021, attorney Jon Natvig (“Nativg”) was assigned this case under the Criminal Justice Act (“CJA”) and entered his appearance as counsel for Keffer (Filing No. 201).¹ Nativg filed an unopposed motion to extend the brief filing date until July 19, 2021, which was granted (Filing Nos. 202 and 203). The government filed its brief on July 19, 2021 (Filing No. 204), but Nativg did not. When informally and repeatedly reminded of the deadline by chambers staff (and others), he assured staff that he would get something on file. He was told by chambers staff that if he needed additional time, he should file a motion requesting an extension. He inexplicably did not.

¹At the time Nativg entered his appearance, the U.S. Probation and Pretrial Services Office had already filed Keffer’s prisoner medical records (Filing No. 199) and its Compassionate Release Investigation Report (Filing No. 200).

On July 30, 2021, the Court ordered Natvig to show cause why the deadline was missed or ignored. Again, Natvig did not respond despite additional informal prompting from chambers staff, from the FPD and others.

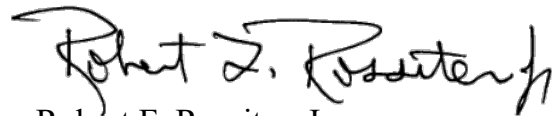
On August 18, 2021, the Court finally received a motion seeking an additional thirty days to file a brief in support of Keffer's request (Filing No. 206). Natvig did not specifically address the show-cause order but did make the general statement that he has been unable to communicate with his client.

Based on the foregoing, and in the best interest of Keffer, the Court has determined that Natvig should be removed from the case. The Court directs the FPD to reassign the matter to another FPD or CJA Panel attorney. The newly assigned attorney shall have thirty days to file the brief as directed by the Court's original order of April 13, 2021.

IT IS SO ORDERED.

Dated this 19th day of August 2021.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge